

## Task Force to Study Mulching, Composting, and Wood Processing

### Approved Minutes

February 10, 2015

Mr. Z. Brendel called the meeting to order at 6:15 p.m. in the C. Vernon Gray Room, Howard Building, 3430 Courthouse Drive, Ellicott City, MD.

Members present: Howie Feaga (for Ms. Moore), Martha Clark, Theodore Mariani, Sean Harbaugh, Brent Loveless, Brent Rutley, Jeff Dannis, Keith Ohlinger (for Ms. Zimmerman), Cathy Hudson, Stu Kohn, Zack Brendel, Justin Brendel (for Mr. Ensor), and Robert Orndorff.

Others Present: Marsha McLaughlin, Department of Planning and Zoning, and Jeff Meyers, Task Force staff.

Mr. Z. Brendel asked for comments about the February 4 minutes. None were offered. . Mr. Kohn moved approval of the minutes, Mr. Harbaugh seconded. The minutes were approved by voice vote.

Mr. Z. Brendel announced that he had discussed with Mr. Goldman Mr. Lober's motion from last week<sup>1</sup>. Mr. Brendel decided that he would allow a vote on the motion, but since neither Mr. Lober nor Dr. Tegeris, who had seconded the motion, were present, he would defer the vote until they were. That way, they could advocate for its passage. At the end of the meeting, since neither had arrived, Mr. Ohlinger moved that the motion be considered, but without a second, the motion was not considered.

The Task Force resumed its discussion of Row 13 of the updated table provided by Ms. McLaughlin, a copy of which is appended below.

Mr. Ohlinger announced that he had met with a group of master gardener instructors and found that they were not aware of the scope of the Task Force. Some of the instructors have compost piles larger than 50 sq.ft. and often the piles are at the property line. Mr. Ohlinger indicated that there are sufficient regulations already in place to address rodent infestations and similar concerns related to composting and that "bad composting" is not likely to be a widespread problem. Ms. Hudson wanted to ensure that composting would be allowed for all

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<sup>1</sup> From the February 4 minutes: "Mr. Lober moved that, as to Row 4, natural wood waste facilities be not allowed on Howard County or State agricultural preservation properties. Dr. Tegeris seconded. Chairperson J. Brendel ruled that because the Task Force had already voted on Row 4, there was no need to vote on Mr. Lober's motion and a vote would not be taken. Mr. Lober, Mr. Mariani, and Dr. Tegeris objected to the Chairperson's decision. Dr. Tegeris noted that the co-chairperson was not present and likely would have allowed a vote. The Chairperson indicated that, in a future meeting, if co-chairperson Goldman wishes to allow a vote, a vote will be allowed."

kinds of residences and noted that some residences have backyard chickens. Mr. Loveless thought that the language would need to be carefully worded lest a nasty neighbor would be able to pile up dog waste at the property line and label it a compost pile. Mr. Ohlinger noted that UM Extension recommends against composting waste from carnivores because parasites might survive in expertly done composting. The Task Force discussed the relative merits of composting in piles and in vessels. The use of vessels was thought to be appropriate for smaller properties such as townhomes. Mr. Dannis noted that the County has sometimes given vessels to those who could not afford them. Mr. Loveless was concerned about placement of vessels in the case of townhomes that lack backyards, on duplexes, etc. The Task Force believed that HOA and rental restrictions would be sufficient to address those concerns.

Ms. Hudson moved that in-vessel composting be allowed on single family attached properties if the vessel has a capacity of less than 100 gallons. Mr. J. Brendel seconded. The motion carried by voice vote.

The Task Force discussed at length how to handle backyard composting for those who have dogs, cats, or other pets and for those who have backyard chickens. Ms. Hudson moved that single family detached properties may compost plant materials or animal waste but not dairy, seafood, meat, or dog or cat waste. Mr. Feaga seconded. The motion carried by voice vote.

Ms. Hudson was concerned that larger non-farm residential properties might not be able to function with a 50 sq.ft. restriction, particularly if the property was the home to chickens or larger gardens. Mr. Mariani agreed and suggested 100 sq. ft. Mr. Dannis suggested a sliding scale approach so that larger properties could have larger compost piles. Mr. Dannis moved that the third sentence in the Row 13 recommendations be amended to strike "50 square feet in area" and substitute "100 square feet per acre of lot size, with a minimum of 100 square feet". Mr. Z. Brendel seconded. The motion carried by voice vote.

Mr. Loveless was concerned that the language was not clear about what was included in a composting operation. He moved that the third sentence in the Row 13 recommendations include "in support of composting" after "per acre". This phrase is defined in the MDE regulations to include all piles and working or storage areas. Mr. Dannis seconded. The motion carried by voice vote.

Ms. Clark and Ms. Hudson noted that UM Extension offers guidance about how to do residential composting and perhaps following that guidance should be a requirement. Ms. Clark moved that the word "Farm" be added to the beginning of the 7<sup>th</sup> paragraph and that the phrase "and Howard County Fire Code" be added to the end. Also that a sentence is to be added saying that Community gardens and residential composting should follow the UM Extension guidelines. Mr. Feaga seconded. The motion carried by voice vote.

Ms. Hudson suggested postponing a vote on Row 13 because the Task Force had made changes to it, but the Task Force agreed with Ms. Clark that the changes were not extensive and that the members understood what they had done. Mr. Feaga moved approval of Row 13 as amended.

Mr. J. Brendel seconded. The Task Force then discussed that perhaps Row 13 should be divided to clearly distinguish between farms and residences. Mr. Loveless wanted to know the contents of the referenced NRCS standard and whether it applied to farms and residences. Mr. Orndorff noted that the Task Force was making recommendations and that the County staff that will prepare the legislation would be able to craft appropriate language. The motion passed on a vote of 12 yes, 1 no, and 5 absent<sup>2</sup>.

The Task Force turned to discuss Row 15.

Mr. Dannis noted that a bill before the State legislature, “Love Food Not Waste”, would require that all places generating 2 tons of food waste per week must take the waste to a processing facility if there was one within 40 miles<sup>3</sup>. This kind of facility would need a Tier 2 permit and would likely be subject to Row 15 or 16.

Mr. Mariani and Mr. Dannis indicated concerns with the setbacks shown in Row 15. Mr. Loveless was concerned that the facility should be limited as to quantities. Mr. Kohn asked what would happen if the facility was not in compliance. Mr. Ohlinger noted that some compliance failures would end the biological activity needed to create compost. Mr. Feaga noted that these facilities would need to meet MDE permit requirements. Mr. Kohn noted that the lack of full Task Force attendance means that not all points of view are being heard and that he could not, therefore, make an informed decision.

Mr. Rutley and Mr. J. Brendel described how larger setback requirements might preclude locating a facility in the most environmentally appropriate spot based on the topography of the property. Mr. Ohlinger noted that his facility is in the center of his property because that is the best location. He also noted that Soil Conservation requirements would require proper siting of facilities. Mr. Loveless asked about fencing and compost pile temperatures. He noted that children would likely climb on compost piles and endanger themselves.

Ms. Clark moved approval of Row 15. Mr. Ohlinger and Mr. Rutley seconded in unison. The motion passed on a vote of 8 for and 5 against with 5 absent<sup>4</sup>. Mr. Kohn wanted the minutes to reflect that he had many concerns and voted reluctantly.

Mr. Dannis noted that the minority column includes a recommendation that he thought had merit. Therefore he moved that, for a Row 15 facility, the MDE permit be in place before a DPZ administrative permit is issued. Mr. Ohlinger seconded. The motion carried by voice vote.

The Task Force turned to discuss Row 16.

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<sup>2</sup> Voting yes: Feaga, Mariani, Clark, Harbaugh, Loveless, Rutley, Dannis, Hudson, Kohn, Z. Brendel, J. Brendel, and Orndorff. Voting no: Ohlinger. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

<sup>3</sup> <http://mgaleg.maryland.gov/webmga/frmMain.aspx?id=hb0603&stab=01&pid=billpage&tab=subject3&ys=2015RS>

<sup>4</sup> Voting yes: Feaga, Clark, Rutley, Ohlinger, Hudson, Z. Brendel, J. Brendel, and Orndorff. Voting no: Mariani, Harbaugh, Loveless, Dannis, and Kohn. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

Mr. Ohlinger was concerned that the “50%” requirement might conflict with the nutrient management plan on a farm. The soil conditions and the nature of the compost must be considered when deciding whether to apply compost. Mr. Dannis moved that the “50% rule” be conditioned so that a facility could continue to operate when that rule conflicts with the nutrient management plan. Mr. Loveless noted that when this limit is reached, the facility should reduce its operations. Ms. Clark suggested that facility operators would have sufficient information to plan well ahead of this limit becoming effective. Mr. Harbaugh and Mr. Mariani noted that the facility operator would be allowed to use the product on the operator’s other farms. Mr. Dannis withdrew his motion.

Mr. Kohn suggested that the setback should be 600 feet. Mr. Mariani noted that the setback for this Row was intended to be guidance for the Hearing Examiner, who could use whatever figure was appropriate. Mr. Feaga moved to accept the conditional use criteria shown in yellow highlight. Mr. Ohlinger seconded. The motion carried by voice vote.

Mr. Loveless suggested that a Row 16 facility should be enclosed. Mr. Dannis noted that MDE requires these facilities to cover the piles or operate under a roof in most cases. These facilities would also need to be on a pad with controlled and treated runoff.

Mr. Kohn asked what DPZ would do with the copies of permits that Row 16 would require applicants to submit. He also asked why the cap was proposed at 10 acres and wondered if 5.5 acres might be better. Mr. Feaga noted that a facility would need to be large enough to be economically viable. Mr. Ohlinger added that a 10 acre cap makes sense to the agricultural community; a 10 acre facility would not be harmful if properly designed and managed.

Mr. Mariani and Ms. Hudson wondered about the reference to non-farms. They noted that composting facilities subject to Row 16 should be secondary to farming. Mr. Harbaugh suggested that the “Howard County Role” column be amended to so clarify. Mr. Rutley noted that the parcels in the County that are large enough to fit a Row 16 facility would most likely be farms. Mr. Rutley also wanted to ensure that wooded parcels would qualify to have composting facilities. Mr. Mariani noted that growing trees is farming. Mr. Ohlinger moved that, for the second sentence in the first paragraph of the recommendations, the phrase “or managed per” be struck and the phrase “and be covered under” be substituted. Mr. Feaga seconded. The motion carried by voice vote.

Mr. Feaga moved approval of Row 16. Mr. Z. Brendel seconded. The motion passed on a vote of 11 for, 1 opposed, 1 abstaining, and 5 absent<sup>5</sup>. Mr. Kohn wanted the minutes to reflect that he voted no because of concerns with size and also to reduce the number of cases that would go to the hearing examiner.

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<sup>5</sup> Voting yes: Feaga, Mariani, Clark, Harbaugh, Rutley, Dannis, Hudson, Ohlinger, Z. Brendel, J. Brendel, and Orndorff. Voting no: Kohn. Abstaining: Loveless. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

Mr. Ohlinger announced that he intends to purchase a windrow turner. Given the size of his tractor and facility, the appropriate turner would make a 4 foot tall windrow. He noted that facility size cap in Row 6 is predicated on 8 foot tall windrows. Therefore, Mr. Ohlinger moved to reopen the review of Row 6. Ms. Hudson seconded and the motion carried by voice vote. Mr. Feaga moved that when 4 foot tall piles are used, the facility may use up to 10% of the parcel's acreage. Mr. Orndorff seconded. The motion carried on a vote of 13 for and 5 absent<sup>6</sup>.

The Task Force turned to discuss Row 17.

Mr. Loveless moved that, for a facility covered by Row 17, the facility must follow guidelines equivalent to the MDE guidelines on access control<sup>7</sup> for a Row 5 facility and have a perimeter fence that is at least 6 feet tall. Mr. Harbaugh seconded. The motion carried by voice vote.

Mr. Loveless moved that a Row 17 facility must be enclosed. Mr. Kohn seconded. Mr. Dannis noted that MDE would require the facility to be under roof, the piles be covered, or that the facility collect and reuse all runoff. The motion failed on a vote of 2 for, 11 against, and 5 absent<sup>8</sup>.

Mr. Mariani moved that the recommended minimum setback be 300 feet from schools and adjoining residential zoning districts, akin to what was adopted for Row 5. Mr. Rutley seconded. The motion carried by voice vote.

Mr. Rutley moved adoption of Row 17 as amended. Mr. J. Brendel seconded. The motion passed on a vote of 10 for, 3 against, and 5 absent<sup>9</sup>.

The Task Force turned to discuss Row 18.

Mr. Rutley moved that the Task Force not consider Row 18 as such a facility is beyond the Task Force's expertise and purview. Mr. Z. Brendel seconded. The motion carried by voice vote.

Ms. McLaughlin and Mr. Z. Brendel indicated that the table, now that the Task Force had considered all rows, would be sent to Mr. Lober and Dr. Tegeris with a request that they consider revisions to the minority column in light of the Task Force's decisions. Additionally, that column would be relabeled as something like "dissenting remarks" to avoid the implication that there is a single minority point of view. Thus anyone who disagreed with the majority position could add remarks to that column.

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<sup>6</sup> Voting yes: Feaga, Mariani, Clark, Harbaugh, Loveless, Rutley, Dannis, Hudson, Ohlinger, Kohn, Z. Brendel, J. Brendel, and Orndorff. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

<sup>7</sup> "Access to this facility shall be controlled at all times.

1. Gates, fencing, and other ingress/egress controls around the perimeter of this facility shall be adequate to prevent access when the facility is not in operation.
2. Access to the facility shall be limited to those times when authorized personnel are on duty at the facility and supervisory personnel are on site."

<sup>8</sup> Voting yes: Loveless and Kohn. Voting no: Feaga, Mariani, Clark, Harbaugh, Rutley, Dannis, Hudson, Z. Brendel, J. Brendel, Orndorff, and Ohlinger. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

<sup>9</sup> Voting yes: Feaga, Mariani, Clark, Harbaugh, Rutley, Dannis, Hudson, Z. Brendel, J. Brendel, and Orndorff. Voting no: Loveless, Kohn, and Ohlinger. Absent: Goldman, Lober, Tegeris, Nixon, and Felton.

The Task Force adjourned at 9:38 p.m. The next meeting will be held on February 25, 2015.

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
Natural Wood Waste	1	No permit	Sec. 26.04.09.02.B(5)(b) exempts single individual /business that recycles materials <u>generated on site.</u>	No permit, DPZ enforcement.	<p>Allow by right on farms including County and State agricultural preservation easements, using MDE criteria regarding on site generated materials</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B. )</p> <p>Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres).</p> <p>May occupy up to 10% of the land, with a maximum of 5 acres</p> <p>Must have and be implementing a conservation plan</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down</p>	<p>DRPS</p> <p><i>Any “compost” produced is solely from wood waste for all NWWR categories.</i></p> <p>Allow by right in RC and RR, including HoCo and State Ag Preserve, using MDE criteria regarding on site generated materials – limited to 1 acre. Only for material generated and used on site. Fire Marshal approval. (how?)</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>gradient domestic wells</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12ft; maximum processing pile height of 10 feet. Provide processing facility site information to Fire Dept for advice on fire suppression.</p> <p>VOTE: 13 yes; 5 no</p>	
	2	NWWR Permit COMAR, Title 26, Subtitle 04, Chap.09.	Any properties that recycle materials <u>not generated on site, but to be used on site</u>	No permit, DPZ enforcement	<p>Allow by right on farms in RC and RR, including County and State Ag. Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B. )</p> <p>May occupy up to 10% of the</p>	<p>DRPS HoCo Sec 128 permit</p> <p>Allow with permit in RC and RR, including HoCo and State ag. 2 acre maximum. 500 feet from property lines, streams and wells. For use on site or on other sites owned by operator but does not allow shipment as an end product for commercial sale. At elevation less than 25 feet above surrounding area.</p>



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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>land, with a maximum of 5 acres</p> <p>MDE Application must be submitted to County Executive, DPW Environmental Services, Health Dept and Howard Soil Conservation District.</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Must have and be implementing a conservation plan</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 100 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other</p>	Controlled run-off. Adequate source of water as approval by certified fire safety engineer. Noise kept below 55 dBA at set back. Misting to control dust. Operating hours 7:30 AM to 4:30 PM.

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					requirements (COMAR Sec.26.09.07)  Provide processing facility site information to Fire Dept for advice on fire suppression. The Fire Marshal’s office shall review and comment on the fire safety plan that is included in the MDE permit application.  VOTE: 13 yes; 5 no	
	3	NWWR Permit Sec. 26.04.09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	DPZ administrative permit (Sec. 128.0 of Zoning Regs)	Allowed on farms in RC and RR, including County and State Ag Preservation easements.  Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B. )  Up to 10% of the parcel up to a maximum of 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Howard County Soil Conservation Plan  Setbacks: • 200 ft to property line, but	DRPS  HoCo Conditional Use Hearing  RC and RR zoned property up to 10% of property but no more than 2 acres. Not allowed on HoCo or State Ag preserve. Set back at 500 feet from property lines, streams and wells. At elevation less than 25 feet above surrounding areas. Run-off controlled, adequate roads study, adequate water supply as approved by certified fire safety engineer. Misting to control dust. Noise at 55 dB at set back.. Operating hours from 7:30 AM to 4:30 PM. All permits approved and supplied to County before hearing. Past

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Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>can be reduced to a minimum of 100 ft by DPZ if site conditions, project features and HSCD Conservation Plan provide adequate buffer ; (MDE setback is 50 ft to property line) VOTE: 13 yes; 1 no; 2 absent.</p> <ul style="list-style-type: none"> <li>• 300 ft to adjoining residence and must comply with NRCS Standard #380 for buffer &amp; windbreak as part of HSCD conservation plan; VOTE: 14 yes; 2 no; 2absent</li> <li>• 100 ft to a stream or well, except 200 ft to a down gradient domestic well</li> </ul> <p>Administrative permit application must include MDE Application (submitted to County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating</p>
					<p>violations considered by hearing examiner.</p> <p>Note: Some of above addressed via MDE permit</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Provide processing facility site information to Fire Dept for advice on fire suppression. The Fire Marshal's office shall review and comment on the fire safety plan that is included in the MDE permit application</p> <p>OVERALL VOTE: 13 yes; 2 no; 3 absent</p>	

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	4	NWWR Permit Sec. 26.04.09	<p>Same as #3, but larger:</p> <p>Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u></p>	Conditional Use (Sec. 131.0.N of Zoning Regs)	<p>May be allowed on farms in RC and RR, including County and State Ag Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B. )</p> <p>Up to 10% of the parcel up to a maximum of 10 acres</p>	DRPS – same as #3

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Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>Remainder of farm to be actively farmed or managed per current Howard County Soil Conservation Plan.</p> <p>Setbacks:</p> <ul style="list-style-type: none"> <li>• 300 ft to property line; (MDE setback is 50 ft to property line)</li> <li>• 500 ft to adjoining residence;</li> <li>• The Hearing Examiner may reduce setbacks to property lines and an adjoining residence if recommended by DPZ (based on site conditions, project features and HSCD Conservation Plan providing adequate buffer) and if there is no adverse affect;</li> <li>• 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</li> <li>• VOTE on setbacks: 11 yes; 2 no; 2 abstained, 3 absent</li> </ul> <p>Conditional use application must include MDE Application (submitted to County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p>

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Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Provide processing facility site information to Fire Dept for advice on fire suppression. The Fire Marshal's office shall review and comment on the fire safety plan that is included in the MDE permit application</p> <p>Conditional use criteria:</p> <ul style="list-style-type: none"> <li>• Windbreak per NRCS standard #380? Misting?</li> <li>• Adequate access for trucks &amp; emergency vehicles (road classification, sight distance)</li> <li>• Adequate year round water supply and sufficient access to fire equipment (as</li> </ul>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>determined by DFRS vs MDE permit requirements)</p> <ul style="list-style-type: none"><li>• Limit operation to 7 am- 6 pm for Monday- Saturday</li><li>• The Hearing Examiner can impose other conditions to prevent adverse impacts on adjoining parcels.</li><li>• VOTE: 15 yes; 3 absent</li></ul> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued</p> <p>VOTE: 10 yes; 5 no; 3 absent</p>	



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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	5	NWWR Permit Sec. 26.04..09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	Permitted by right in M-1 and M-2 district, <b>but require a conditional use if within 300 ft of a residential zone or school</b> <b>Vote: 12 yes; 2 no; 4 absent</b>	Requires submission of a Site Development Plan for review by County agencies (addresses access, traffic, fire code stormwater management, etc.).  SDP submission to include MDE permit application  Must meet MDE General Restrictions (COMAR 26.04.11.04.B)  Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, noise, hours of operation, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)  <b>Require 300 ft setback from residentially zoned properties</b>	DRPS  DRPS recommends allowed in M-1 and M-2 by conditional use, not permitted by right.  M1 and M2 properties only. 10 acre limit. Other permit criteria: <ul style="list-style-type: none"> <li>• Setbacks from residential property lines of 500 feet</li> <li>• Setback from streams and wells - 500 feet</li> <li>• Forest or landscape buffers (minimum width of 100 ft)</li> <li>• Run-off controlled and control of smell to neighboring properties.</li> <li>• Mist when grinding and turning for dust control</li> <li>• Grinders, processing and winrows in an enclosed facility</li> <li>• Adequate access for trucks &amp; emergency vehicles (road study)</li> <li>• Limits on days and hours of operation -7:30 Am to 4:30 PM, M-Sat</li> </ul>

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Natural Wood Waste and Composting					
	MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
				<p>or a school, but allow potential for Hearing Examiner to grant a variance where justified. <u>Vote: 11 yes; 3 no; 4 absent</u></p> <p><del>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</del> Require misting and/or water injection during grinding <u>Vote: 10 yes, 5 no, 3 absent</u></p> <p><u>Facilities must meet MDE requirements of controlled access and have at least a 6 ft high perimeter fence <u>Vote: 13 yes; 2 no; 3 absent</u></u></p> <p><u>Limit hours of operation to 7am -6 pm Monday- Saturday.</u></p> <p>SDP can't be approved until MDE permit is issued and submitted to County.</p> <p><u>Approve as amended <u>Vote: 10</u></u></p>	<ul style="list-style-type: none"> <li>Requires submission of all approved permits to County</li> <li>Noise at less than 55 dBA at setbacks</li> </ul> <p>Fire hydrant capable of 1000 gpm at 20 psi within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels. Requires submission of a Site Development Plan and all permits to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc). SDP can't be approved until MDE permit is issued and past compliance is considered.</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					yes; 5 no; 3 absent	
<b>Composting Tier 1</b> (Yard waste and other low risk materials approved by MDE. (see definition in Sec.26.04.11.02 (37))	6	No permit Sec.26.04.11.05 (c)(1) and 26.04.11.06.C	<p>Farms that compost organic materials generated and used on the site or other sites controlled by the same operator (No size limit for farms)</p> <p>Must meet MDE General Restrictions</p> <p>Type 1 materials (grass and leaves) do not include manure, food scrap, seafood scrap, dead poultry or animals.</p>	No permit, DPZ enforcement	<p>Allowed by right on farms including County and State agricultural preservation easements, in all residential districts.</p> <p>Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&amp;b) . Add MDE definition of composting</p> <p>Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres).</p> <p>May occupy up to 5% of the land, with a maximum of 5 acres</p> <p>Must have and be implementing a Howard County Soil Conservation plan, as well as a nutrient management plan if required by the State</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must comply with MDE General</p>	<p>Maximum of 10% of farm up to 2 acres as initially suggested by Brent Rutley and voted on earlier.</p> <p>Controlled run-off,</p> <p>Set backs of 500 feet from property lines, streams and wells.</p> <p>Noise at 55 dBA max at set backs.</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>Allows composting of dead animals raised on the farm.VOTE: 12 in support; 7 opposed</p>	<p>Misting when grinding if excessive dust generated. Fire marshal approval.</p> <p>Opposed: DRPS, HoCo Exec, HCCA, Dist 3 ???</p>
	7	No permit Sec. 26.04.11.06.E and Sec. 26.04.11.05.C	Farm and residential properties using 5,000 SF or less area. Material to be used on site.	No permit, DPZ enforcement	<p>Allowed by right on all farms, including County and State agricultural preservation easements. Also single family detached lots and community open space or gardens in all zoning districts if materials are used on site.</p> <p>May not exceed 10% of parcel acreage.</p> <p>No setback if pile is 4 ft or less within an enclosing frame or</p>	

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE: all supported</p>	

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	8	No permit Sec. 26.04.11.06.D	Farm facility using no more than 40,000 SF that: -complies with General Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of origin; & Type 1 feedstocks regardless origin. -May distribute off-site.	No permit, DPZ enforcement	Allowed by right on farms in all districts, including County and State agricultural preservation easements  Must meet MDE thresholds and NRCS standard #317..  Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells  Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)  Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression. On farms, allows composting of dead animals raised on the farm.	No votes: do not allow in the East? Don't allow composting of dead animals

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		Natural Wood Waste and Composting				
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					VOTE: 15 support , 2 pass, and 2 no	
	9	Tier 1 Composting Permit Sec.26.04.11.06.D	<u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution	DPZ administrative permit and enforcement	Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (to be shared with DPW and DFRS)  Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wellsMust meet MDE stormwater	Allowed on farms in RC and RR, including County and State ag preservation up to a maximum size of 10% of farm, up to 2 acres.  Majority (75%) of end product is for use on the farm or other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) for distribution off-site.  Set backs of 300 feet from property lines, streams and wells.  All MDE permits in place and past compliance to be considered before 128 permit is issued. ??

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>management requirements Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>No limits on hours of operation (10 support; 5 oppose, 1 abstained)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard.</p> <p>Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm</p> <p>Vote: ---support?? 4 oppose ??</p>	<p>Operating limited to daylight hours</p> <p>Controlled run-off, misting when grinding if excessive dust generated. ??</p> <p>Adequate water supply as determined by a certified fire safety engineer. ??</p> <p>Type 1 only – no animal mortality</p> <p>4 support: DRPS, HoCo Exec, HCCA, Dist 3</p>
	10	Tier 1 Composting	<u>Same as above:</u>	Conditional	Allowed on farms in RC and RR,	Not allowed on RC and RR farms



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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
		Permit Sec. 26.04.11.05 & .06	<u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution	use	<p>including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively farmed or managed per current Conservation Plan. At least 50% of the finished compost is to be used on the farm or another property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site.</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS), Must meet MDE General Restrictions (COMAR 26.04.11.04.B) Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>Meet Howard County Fire Code maximum feedstock pile height of 9 ft; maximum compost</p>	<p>requiring more than 2 acres.</p> <p>4 support: DRPS, HoCo Exec, HCCA, District 3 ???</p>

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Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>processing pile height of 8 feet. and other requirements related to access and fire suppression based on proposed design</p> <p>Conditional use criteria:</p> <ul style="list-style-type: none"><li>• Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells</li><li>• Adequate site access for trucks &amp; emergency vehicles (road classification, driveway entrance)</li><li>• Reliable, year round water supply as determined by DFRS</li><li>• Operating limited to daylight hours., Monday - Saturday</li></ul> <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval,</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote: 10 support; 6 oppose; 1 abstain</p>	

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	11	Tier 1 Composting Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping compost as an end product for use by others.</p>	<p>M-1 and M-2 zoning districts permitted with a Solid Waste Overlay.</p>	<p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00)</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely</p>	<p>Limits on days and hours of operation -7:30 AM to 4:30 PM, M-Sat</p> <p>Noise at less than 55 dBA at setbacks</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels.</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>affects neighboring properties.</p> <p>The Zoning Board may limit hours of operation, require increased setbacks or buffering, or impose other conditions to prevent adverse impacts on adjoining property as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued and submitted to County.</p> <p>VOTE: 12 support; 5 oppose; 1 absent</p>	<p>Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p> <p>SDP can't be approved until MDE permit is issued and past compliance is considered Vote: Rick John, Stu,</p> <p>Brent wants fully enclosed and/ unless an economic model?? Dr Felt ???</p>
<b>Composting Tier 2</b> Source separated food scraps, manure,	12	No permit Sec.26.04.11.05.C(1)	Farms that compost organic materials generated and used on the site	No permit DPZ enforcement	Allowed by right on farms including County and State agricultural preservation easements, in all residential districts.	Sec 128 Permit -- For single family properties in RC and RR including HoCo and State ag preserve. 2 acre max.

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
food processing materials, etc. per MDE as “moderate” risk materials approved by MDE. (see definition in Sec.26.04.11.02 (38))			(No size limit)		<p>Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&amp;b) . Add MDE definition of composting</p> <p>Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres).</p> <p>May occupy up to 5% of the land, and maximum of 5 acres</p> <p>Facility setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Must have and be implementing a conservation plan, as well as a nutrient management plan if required by the State</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient</p>	<p>Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Fire Marshal approval.</p> <p>Control of smell at neighboring properties if manure is used.</p> <p>Dead animals at TBD percentage.</p> <p>No discussion of above material by opponents</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>management plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm</p> <p>VOTE: 13 support; 5 oppose</p>	
	13	No permit Sec.26.04.11.05.C(3)	Farm and residential properties using 5,000 SF or less area (with 12 ft height limits for composting piles). Material to be used on site, but no limit on where generated	No permit DPZ enforcement	<p>Allowed by right on all farms including County and State agricultural preservation easements on up to 10% of the farm; ,</p> <p>Allow community gardens by right in community open space, not to exceed 10% of the open space</p> <p>Allow by right on single family detached lots in all districts, but compost may not exceed 50</p>	<p>DRPS</p> <p>Sec 128 Permit</p> <p>Allowed in RC and RR including HoCo and State ag preserve, and single family detached properties in R-ED,R-20 and R-12 zoning districts if 3 acres or greater. Material from site and used on-site use only. 2500 sq ft max facility. Set backs of 100 feet from property lines, streams and wells. Pile height no more than 6 feet. Controlled run-off and smell.</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>square ft in area</p> <p>Composting may only include plant materials, not dairy, seafood, meat or animal waste</p> <p>No setback if pile is 4 ft or less within an enclosing frame or bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient mgmt. plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p>	<p>No dead poultry, animals or seafood. Covered facility. Fire marshal approval</p> <p>No discussion of above material by opponents</p>



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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					On farms, allows composting of dead animals raised on the farm.  VOTE ???	
	14	Tier 2 Permit Sec. 26.04.11.06.D	Farm facility of no more than 40,000 SF that: -complies with General Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of place of generation; & Type 1 feedstocks regardless of place of generation.	No permit DPZ enforcement	Allowed by right on farms in all districts, including County and State agricultural preservation easements  Setbacks: <u>50 ft 100 ft to property line; 300 ft to existing adjoining residence, but grandfather existing operations and allow reductions if there is a hardship;</u>  Vote: 6 yes; 9 no; 2 absent  100 ft to a stream or well, except 200 ft to a down gradient domestic wells  Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)  Compost facility design meets	DRPS Sec 128 Permit but conditional use if food waste is used  Allowed by right in RC and RR districts including HoCo and State ag preserve. 40,000 sq ft max facility. Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Majority (75%) of end product is for use on the farm or on other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. Any use of manure will require control of smell to neighboring properties. Fire marshal approval.  Dead animals at a TBD percentage.

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
			Also allows import of Type 2 feedstock (grocery stores, restaurants) for use on the farm		<p>NRCS standard #317; nutrient mgmt. plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE: yes - all</p>	
	15	Tier 2 Permit Sec.26.04.11.06.C	Farm facility greater than 40,000 SF that complies with	DPZ administrative permit (Sec.128.0.I of	FROM CELL #9 – do we want to amend something?????	<p>DRPS</p> <p>128 permit, but conditional use if</p>

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Natural Wood Waste and Composting					
	MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
		General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. Allows food scrap and manure in addition to Type 1 materials	Zoning)	<p>Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (share with DPW and DFRS)</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells. ?????</p> <p>Must meet MDE stormwater management requirements</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers</p>	<p>food waste is used??</p> <p>Allowed on farms in RC and RR districts including HoCo and State ag preserve up to a maximum size of 10 percent of farm but not more than 2 acres. Majority (75%) of end product is for use on the farm or is used on other farms owned by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. . Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max at set backs, misting when grinding if excessive dust generated. All MDE permits in place and past compliance to be considered before 128 permit is issued. Adequate water supply as determined by a certified fire safety engineer. Operating hour limited to 7:30 AM to 4:30 PM Mon-Sat. Any use of manure will require control of smell to neighboring properties. Fire marshal approval.</p> <p>Dead animals at a TBD percentage.</p> <p>RC and RR – not allowed on farms composting over 2 acres.</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>and dust suppression); and nutrient mgmt. plan per MDA standard.</p> <p>Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression.</p> <p>Allows composting of dead animals raised on the farm</p> <p><b>VOTE:</b></p>	
	16	Tier 2 Permit Sec. 26.04.11.05	Non- farms, as well as farm operations not covered above	Conditional use	<p><b>FROM CELL #10 –do we want to amend something????</b></p> <p>Allowed on farms in RC and RR, including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively farmed or managed per current Conservation Plan.</p> <p>At least 50% of the finished</p>	<p>DRPS</p> <p>Non-farm operations shipping mulch and compost as an end product to others</p> <p>Potential conditional use criteria:</p> <ul style="list-style-type: none"> <li>• Setbacks from residential properties (300 ft?? from lot lines or 500 ft from existing houses?)</li> <li>• Setback from streams (150ft? 200 ft?)</li> <li>• Forest or landscape buffers</li> </ul>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>compost is to be used on the farm or another property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>Meet MDE maximum feedstock and compost processing pile height limits and other requirements related to access and fire suppression based on proposed design</p>	<p>(minimum width of 100 ft? 200 ft?)</p> <ul style="list-style-type: none"> <li>• How dust and odors will be controlled (siting?)</li> <li>• Adequate access for trucks &amp; emergency vehicles (road classification, site distance)</li> <li>• Adequate water supply as determined by DFRS</li> <li>• Limits on days and hours of operation</li> <li>• Requires submission of MDE permit application</li> </ul> <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels (see General Criteria for all conditional uses).</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc). SDP can't be approved until MDE permit is issued.</p> <p>RC and RR farms – not allowed to exceed 2 acres</p>

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Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>Potential conditional use criteria:</p> <ul style="list-style-type: none"> <li>• Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells</li> <li>• Adequate site access for trucks &amp; emergency vehicles (road classification, driveway entrance)</li> <li>• Reliable, year round water supply as determined by DFRS</li> <li>• Operating limited to daylight (vs 7am - 6 pm) hours., Monday – Saturday</li> </ul> <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval,</p>

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote:</p>	

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	17	Tier 2 Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping mulch and compost as an end product to others</p>	<p>M-1 and M-2 zoning districts only, permitted with a Solid Waste Overlay.</p>	<p>FROM CELL #11 – do we want to amend something????</p> <p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p>	<p>DRPS</p> <p>10 acre limit ?</p> <p>Other permit criteria:</p> <ul style="list-style-type: none"> <li>• Setbacks from residential property lines of 500 feet</li> <li>• Setback from streams and wells - 500 feet</li> <li>• Forest or landscape buffers (minimum width of 100 ft)</li> <li>• Run-off controlled and control of smell to neighboring properties.</li> <li>• Mist when grinding and turning for dust control</li> <li>• Grinders, processing and in an enclosed facility</li> <li>• Winrows covered with closed air recirculation system for odor and pathogen control</li> <li>• Adequate access for trucks &amp; emergency vehicles (road study)</li> <li>• Limits on days and hours of operation -7:30 Am to 4:30 PM, M-Sat</li> <li>• Requires submission of all approved permits to County</li> <li>• Noise at less than 55 dBA at setbacks</li> </ul>



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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p> <p>Other criteria ?? vs the Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p><b>VOTE:</b></p>	Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.
<b>Composting Tier 3</b> Sewage sludge, biosolids,	18	Tier 3 Composting Permit Sec. 26.04.11.05	Non-farm operations	M-1 and M-2 zoning districts permitted	<p><b>FROM CELL #11 – do we want to amend something????</b></p> <p>M1 and M2 properties only with</p>	DRPS M1 and M2 with solid waste overlay only. Must be an enclosed facility;

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Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
mixed municipal solid waste and other materials MDE determines to be a “higher” risk than Type 1 and 2 Sec.26.04.11.02 (39)				with a Solid Waste overlay. y	<p>Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p>	<p>Minimum setback to residential property of 500 ft; Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can’t be approved until MDE permit is issued.</p>

Distributed 2/10/15

Natural Wood Waste and Composting					
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations
					<p>Other criteria ?? vs the Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>VOTE:</p>

